10.03.2006

Present: Ms. Babita Panigrahy, Adv. for the petitioner
Mr. A.K. Biswas, Adv. for the respondent no. 3

CM No. 322/2006

By this joint application filed by the parties, settlement arrived at between the parties has been placed on record. The terms of the settlement have been set out in the application which is supported by the affidavits of both the parties. It has been set out by the parties that respondent no. 3/workman has agreed to receive a total sum of Rs. 1.50 lacs in full and final settlement of his entire claims including the claim of reinstatement as has been awarded in his favour by the industrial adjudicator. In terms of the settlement, the petitioner has stated that the amount of Rs. 30,000/- which was deposited in this court pursuant to the order dated 29th April, 2003 be ordered to be released in favour of the workman towards the agreed amount.

The registry is accordingly directed to release this amount of Rs. 30,000/- lying in the court and be payable to the respondent/workman.

Learned counsel for respondent no. 3 submits that he has been instructed to inform the court that respondent no. 3 does not have any bank account and does not have even necessary documentation as identity etc. to open a bank account. It is stated that the cheque may be prepared by the registry in the name of the counsel representing the respondent no. 3 in court today who shall hand over the amount after encashment to the respondent/workman. It is accordingly directed that the registry shall prepare the cheque of Rs. 30,000/- in favour of the learned counsel

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for the respondent no. 3 who shall encash the same and make payment of the amount against receipt to the respondent no. 3.

In view of the settlement between the parties, the balance amount of Rs. 1.20 lacs shall be paid to the respondent/workman by the petitioner on or before the 22nd of May, 2006 through learned counsel representing respondent no. 3 in this court.

This application is allowed. The settlement between the parties is taken on record.

WP (C) No. 2225/2003 and CM Nos. 3738/2003 & 13342/2004

In view of the settlement between the parties, nothing further survives for adjudication in the matter. Accordingly, the writ petition and the applications mentioned above are disposed of in the terms of settlement.

(GITA MITTAL)
JUDGE

March 10, 2006
SD